



IT IS ORDERED as set forth below:

Date: November 1, 2017

**Barbara Ellis-Monro
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

WALTER HENRY SCHWAB, JR.,

Debtor.

JENNIFER A. KIRSCH and the WYCLIFF
CONDOMINIUM ASSOCIATION, INC.,

Movants,

v.

WALTER HENRY SCHWAB, JR.,

Respondent.

CASE NO. 15-66300-BEM

CHAPTER 11

Contested Matter

ORDER AND NOTICE OF HEARING

Movants' Motion for Order Confirming That No Stay Is in Effect [Doc. 135] and Debtor's Motion for Extension of Time [Doc. 145] came before the Court for hearing on November 1, 2017. Shawn M. Winterich appeared for Movants, and Debtor appeared pro se.

Movants' Motion for Order Confirming That No Stay Is in Effect requested an order confirming the stay is not in effect, leaving them free to prosecute state law remedies. Movants' supplemented the Motion with assertions that Debtor has failed to comply with the provisions of his confirmed plan, among other things. Debtor's Motion to Extend Time requests an extension of 30 days to retain new counsel.

For the reasons announced on the record, it is

ORDERED that pursuant to the terms of Debtor's confirmed Chapter 11 plan, the automatic stay is no longer in effect; it is further

ORDERED that the parties shall file briefs not later than **November 27, 2017** on the issue of whether this Court should abstain from hearing any issues raised by Movants' allegations in their Motion that Debtor has defaulted under the plan; it is further

ORDERED and NOTICE IS HEREBY GIVEN that a hearing on the issue of abstention and any further proceedings in this Court shall be before the undersigned on **December 13, 2017, at 10:00 AM, COURTROOM 1402**, UNITED STATES COURTHOUSE, RICHARD B. RUSSELL FEDERAL BUILDING, 75 TED TURNER DRIVE (f/k/a SPRING STREET), SW, ATLANTA, GEORGIA.

END OF ORDER

Distribution List

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